

# Notice of Allowability

Application No.

10/070,389

Examiner

Robert R. Koehler

Applicant(s)

ANDO ET AL.

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Preliminary Amendment having a filing date of September 9, 2002.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 09 September 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☒ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: Japan 2000-206810 (Filing Date 07/07/2000); Japan 2001-65821 (Filing Date 03/09/2001).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 03062002
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



ROBERT R. KOEHLER  
PRIMARY EXAMINER  
ART UNIT 1775

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 1 to 13 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art search has not produced any references which teach, suggest, or disclose applicants' claimed method for forming an electrolytic copper plating on an R-T-B magnet, wherein the electrolytic copper plating is formed by using a plating bath containing copper sulfate, a chelating agent without containing an agent for reducing copper ions, and having a pH of 10.5 to 13.5. Also, the prior art does not teach, suggest, or disclose applicants' claimed R-T-B magnet having at least an electrolytic copper plating layer in which a ratio of  $I(200)/I(111)$  is 0.1 to 0.45 in the X-ray diffraction of the claimed electrolytic copper plating obtained with a  $\text{CuK}\alpha_1$  line. U.S. Patent No. 5,314,756 (Tagaya), cited by the applicants, shows X-ray diffraction patterns for plated copper which do not meet the intensity ratio values as claimed by the applicants. In Figure 1 (invention example) and Figure 2 (comparative example) of the Tagaya patent, the X-ray diffraction intensity ratio values for  $I(200)/I(111)$  appear to be at least 0.5. The Examiner believes that applicants' claimed electrolytic copper plating on an R-T-B magnet would possess improved surface characteristics (e.g., absence of pinholes and improved dent resistance) on the basis of the lower X-ray diffraction intensity ratio values (0.1 to 0.45).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

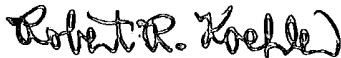
Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Robert Koehler whose telephone number is (571) 272-1536.

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The Examiner can normally be reached on Tuesday to Friday from 9:30 AM to 7:00 PM. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Deborah Jones, can be reached on **(571) 272-1535**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).



**ROBERT R. KOEHLER**  
**PRIMARY EXAMINER**

**Art Unit 1775**  
**August 22, 2004**